

THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

STATE FARM LIFE INSURANCE
COMPANY,

Plaintiff,

v.

JOHN TEDESCO, et al.,

Defendants.

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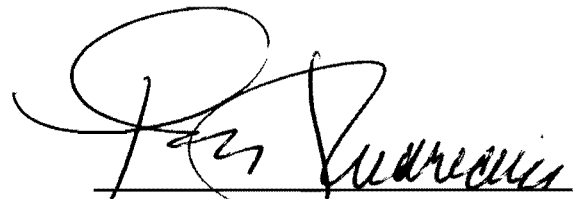
3:14-CV-1321
(JUDGE MARIANI)

ORDER

AND NOW, THIS 16th DAY OF DECEMBER, 2016, upon *de novo* review of
Magistrate Judge Carlson's Report & Recommendation, (Doc. 46), **IT IS HEREBY**
ORDERED THAT:

1. The Report & Recommendation, (Doc. 46), is **ADOPTED** for the reasons discussed therein.
2. Defendant Tina Tedesco's Objection,¹ (Doc. 51), is **OVERRULED**. Tina Tedesco's objection, liberally construed, is that third degree murder is not a killing under the Slayer Act. In Pennsylvania, however, a "record of a murder conviction conclusively establishes a wilful and unlawful killing under the Slayer's Act." *In re Klein's Estate*, 378 A.2d 1182, 1186 n.21 (Pa. 1977).
3. Defendants John and Tina Tedesco's Motions to set aside the default judgements, (Docs. 36 & 38), are **DENIED**.

¹ Defendant John Tedesco did not submit any objections to the R&R.



Robert D. Mariani
United States District Judge